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10/539,983	06/19/2005	Demetri Giannopoulos	US020603	8357

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EXAMINER
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SYED, NABIL H

ART UNIT	PAPER NUMBER
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2612

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10/04/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/539,983

Applicant(s)

GIANNOPOULOS ET AL.

Examiner

Nabil H. Syed

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 8/1/07.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. The following is a final office action on merits. Amendments received on 8/1/07 have been entered. Claims 1 and 13 have been canceled. Claims 2-12 and 14-19 are pending.

### **Claim Objections**

2. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Applicant erroneously skipped claimed 18 in the amendment received on 8/1/07. For the examination purposes claim 17 have been broken into claim 17 and claim 18 (as originally filed) and claim 18 and claim 19 have been renumbered claim 19 and claim 20 respectively.

### **Claim Rejections - 35 USC § 103**

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 2, 3-7, 11, 12, 14-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grouev et al. (6,333,605) and in view of Morgan et al. (US Pub 2002/0171378).

As of claim 2, Grouev discloses a wireless-controlled lighting system (via a light modulating electronic ballast, see title) including a control master ( via a wall mounted controller, see col. 5, lines 58-60) and a group of lighting units ( via ballast 10, see fig. 1), all communicating via commonly-received wireless transmissions, a method of associating group of lighting units, each having a unique identification code (via each ballast having a unique identification, see col. 2, lines 16-18) , with respective control elements of a remote control (via a handheld unit, , see col. 5, lines 42-43) ( also via a photodetector see col. 5, lines 1-2), method comprising:

- a. each of the lighting units transmitting a modulated light signal carrying the respective identification code (via ballast transmitting its ID, see col. 4, lines 64-66);
- b. positioning the remote control at a location where it receives the modulated light signal from only one of the lighting units (see col. 5, lines 42-43) ;
- c. activating a selected one of the control elements of the remote control to associate control element with the lighting unit transmitting the modulated light signal being received ( via organizing the ballasts into a zone, see col. 5, lines 66-67,);
- d. transmitting from the remote control to the control master a signal identifying the unique identification code for the lighting unit and the control element with which lighting unit has been associated (via operator using the handheld unit to transmit the ID to the

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wall mounted controller, see col. 5, lines 58-61);

e. repeating each of steps b through d for each of the remaining lighting units in the group (via repeating the system for each ballast, see col. 5, lines 63-65).

but fails to explicitly disclose that each lighting unit in the group can operate as either a control master device or a slave device.

However Grouev fails to explicitly disclose that the each lighting unit in the group includes an adaptable device, which selectively operates as either control master device or a slave device:

Morgan discloses a method for controlling a group of lighting units (via methods and apparatus for controlling illumination, see title), where light sources (via 24A-24D, see fig. 4) can act as a master to control one or more other slave light sources and/or other devices (see paragraph 103) (note: when a light source is acting as a master to control other light source, it is inherent that it includes an adaptable device which selectively operates as either a master or slave device because when a light source is not acting as a master it is acting as a slave).

From the teaching of Morgan it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the light source (ballast) of Grouev to include the function of a device acting as either a master or slave in order to make it easy for the user to control multiple light units via controlling one light unit only. For example one light bulb in a room can act as a master and others as slave so when user activates the master bulb all of the other bulbs in the room will light up.

As of claim 3, Grouev discloses all the limitations of the claimed invention as mentioned in claim 2 above, but fails to disclose that the system uses the remote control to select one of the lighting units to be a control master.

Morgan discloses that lighting units (24A-24I) are controlled using a remote controller (remote interface 56) (see fig. 1) and one light source could act as a master to control other light sources. Morgan further teaches that multiple light sources are connected to a network 48 and each of the light sources can receive and transmit signals to the network 48.

From the teaching of Morgan it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the lighting system of Grouev to use the control interface 56 to select one of the controllers (a control unit inside a light source) to control other light sources as taught by Morgan, since it has been held that where the general conditions of a claim are disclosed in the prior art, discovering the optimum or workable ranges involves only routine skill in the art. In re Aller, 105 USPQ 233.

As of claim 4, Grouev discloses that the unique identification code is pre-assigned (see col. 2, lines 16-17).

As of claim 5, Grouev disclose that the unique identification code is determined at the time of association of the control element with the respective lighting unit (see col. 2, lines 24-27).

As of claim 6, Grouev discloses a method where each of the lighting units transmits the modulated light signal for a predetermined period after said lighting unit is

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powered up (via ballast transmitting its ID after getting the power, see col. 4, lines 64-66).

As of claim 7, Grouev discloses a method where the modulated light signal comprises light emitted by the lighting unit for illumination (via ballast identifying itself by modulating the light output from one or more lamps coupled to the ballast, see col. 6, lines 8-10).

As of claim 11, Grouev discloses a method of configuring a wireless-controlled lighting system (via a light modulating electronic ballast) including a group of lighting units (via ballast 10, see fig. 1), each having a unique identification code (via each ballast having a unique identification number, see col. 2, lines 16-17), and a remote control (via a hand held unit, see col. 5, lines 42-43), all communicating via commonly-received wireless transmissions (via hand held unit transmitting wireless signal to the ballast), method comprising:

- a. emission by each of the lighting units of a modulated light signal carrying the respective identification code (via ballast emitting its ID, see col. 4, lines 64-66);
- b. positioning of the remote control at a location where it receives the modulated light signal from only one of the lighting units (see col. 5, lines 66-67);
- c. activation of a selected one of a plurality of control elements of the remote control to associate selected control element with the lighting unit transmitting the modulated light signal being received ( via organizing the ballasts into a zone, see col. 5, lines 66-67);
- d. transmission from the remote control to a control master for the system of a signal identifying the unique identification code for the lighting unit and the control element with

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which lighting unit has been associated (via operator using the handheld unit to transmit the ID to the wall mounted controller, see col. 5, lines 58-61);

e. repeating each of steps b through d for each of the remaining lighting units in the group (via repeating the system for each ballast, see col. 5, lines 63-65).

However Grouev fails to disclose using the remote control to select one of the lighting units to be a control master.

Morgan discloses that lighting units (24A-24I) are controlled using a remote controller (remote interface 56) (see fig. 1) and one light source could act as a master to control other light sources. Morgan further teaches that multiple light sources are connected to a network 48 and each of the light sources can receive and transmit signals to the network 48.

From the teaching of Morgan it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the lighting system of Grouev to use the control interface 56 to select one of the controllers (a control unit inside a light source) to control other light sources as taught by Morgan, since it has been held that where the general conditions of a claim are disclosed in the prior art, discovering the optimum or workable ranges involves only routine skill in the art. In re Aller, 105 USPQ 233.

As of 12, Grouve discloses all the elements of the claimed invention as mentioned in claim 1 and 11 above, but fails to explicitly disclose that each lighting unit in the group can operate as either a control master device or a slave device.



Morgan discloses a method for controlling a group of lighting units (via methods and apparatus for controlling illumination, see title), where light sources (via 24A-24D, see fig. 4) can act as a master to control one or more other slave light sources and/or other devices (see paragraph 103) (note: when a light source is acting as a master to control other light source, it is inherent that it includes an adaptable device which selectively operates as either a master or slave device because when a light source is not acting as a master it is acting as a slave).

From the teaching of Morgan it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the light source (ballast) of Grouev to include the function of a device acting as either a master or slave in order to make it easy for the user to control multiple light units via controlling one light unit only. For example one light bulb in a room can act as a master and others as slave so when user activates the master bulb all of the other bulbs in the room will light up.

As of claim 14, Grouev discloses a method where the unique identification code is preassigned (see col. 2, lines 16-17).

As of claim 15, Grouev discloses a method where the unique identification code is determined at the time of association of the control element with the respective lighting unit (see col. 2, lines 24-27).

As of claim 16, Grouev discloses a method where each of the lighting units transmits the modulated light signal for a predetermined period after lighting unit is powered up (via ballast transmitting its ID after getting the power, see col. 4, lines 64-66).

As of claim 17, Grouev discloses a method where the modulated light signal comprises light emitted by the lighting unit for illumination (via ballast identifying itself by modulating the light output from one or more lamps coupled to the ballast, see col. 6, lines 8-10).

5. Claims 5 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grouev et al. (6,333,605) and in view of Morgan et al. (US Pub 2002/0171378) as applied to claim 1 and 11 above, and further in view of Denes (7,123,140).

As of claim 5 and 15, the combination of Grouev and Morgan discloses all the limitations of the claimed invention as mentioned in claim 1 above, but fails to explicitly disclose that the identification is assigned to each lighting unit when the lighting unit is installed in the system.

Denes discloses a wireless network for remotely controlling at least one lamp including first radio transceiver associated with at the at least one lamp and a second radio transceiver, wherein the system comprises plurality of radio transmission nodes 1 disposes on a respective street lamp 1a (see fig. 1; also see col. 4, lines 36-47). Denes further teaches that a node is assigned an identification number when a node is installed in the system (via assigned the identification to a node after it has been brought from the factory and installed at a street; see col. 6, lines 65 through col. 7, lines 29).

From the teaching Denes it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the systems of Grouev to assign the identification when the lighting unit is installed in the system as taught by Denes in

order to replace the default identification number in the node (lighting unit) and assign a identification number which unique to only one node since multiple nodes can have a same default identification numbers assigned by the manufacture; (see col. 6, lines 65 through col. 7, lines 5).

6. Claims 8-9 and 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grouev et al. (6,333,605) and in view of Morgan et al. (US Pub 2002/0171378) as applied to claim 1 and 11 above, and further in view of Ben-Ze'ev (6,791,467).

As of claim 8-9 and 18-19, the combination of Grouev and Morgan discloses all the elements of the claimed invention as mentioned in claim 1 and 11 above, but fails to explicitly discloses that the selected control element comprises a button and a symbol on a touch screen of the remote control.

Ben discloses a remote controller where the control element comprises a button (via a set of keys, see col. 8, lines 20-22) and a symbol on a touch screen of the remote control (via a display screen, see col. 4, lines 42-46).

From the teaching of Ben it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the hand held unit of Groueve to include a button and a symbol on a touch screen of the remote control as taught by Ben in order to ease and provide more friendly operation for the user (see col. 2, lines 28-31)

7. Claims 10 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grouev et al. (6,333,605) and in view of Morgan et al. (US Pub 2002/0171378) as applied to claim 1 and 11 above, and further in view Hou (US Pub 2002/0126035).

As of claim 10 and 20, the combination of Grouev and Morgan discloses all the

elements of the claimed invention as mentioned in claim 1 and 11 above, but fails to explicitly disclose that the selected control element comprises a sound produced by a user.

Hou discloses a remote controller where the selected control element comprises a sound produced by a user (see abstract).

From the teaching of Hou, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the hand held unit of Grouev to include a sound produced by a user as the selected control element as taught by Hou in order to allow the users to remotely turn on/off and control the operations of one or more electrical apparatuses through voice activation without having to manually press button and using their hands (see paragraph 8).

#### **Response to Arguments**

8. Applicant's arguments filed 8/01/07 have been fully considered but they are not persuasive.

As per applicant argument, that the Morgan does not disclose "that each lighting unit in the group includes an adaptable device which selectively operates as either a control master device or a slave device. The Examiner respectfully disagrees. Morgan discloses multiple light sources 24 (24A-24I), which can be remotely controller using remote user interface 56 (see fig. 1). Morgan further teaches that one light source coupled to network 48 may act as a "master" to control one or more other "slave" light sources and/or other devices coupled to the network 48 (see fig. 4, paragraph [0103]). When a light source is acting as a master to control other light source, it is inherent that

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it includes an adaptable device which selectively operates as a master device because to control other light sources because when a light source is not acting as a master it is acting as a slave).

As per applicant argument to claim 3 and 11, that prior art does not disclose that "the remote control selects one of the adaptable devices to operate as the control master for the group of lighting units." The Examiner respectfully disagrees. Morgan discloses that lighting units (24A-24I) are controlled using a remote controller (remote interface 56) (see fig. 1) and one light source could act as a master to control other light sources. Morgan further teaches that multiple light sources are connected to a network 48 and each of the light sources can receive and transmit signals to the network 48. It would have been obvious to one having ordinary skill in the art to use the control interface 56 to select one of the controllers (a control unit inside a light source) to control other light sources, since it has been held that where the general conditions of a claim are disclosed in the prior art, discovering the optimum or workable ranges involves only routine skill in the art. In re Aller, 105 USPQ 233.

Applicant's arguments with respect to claims 5 and 14 have been considered but are moot in view of the new ground(s) of rejection.

### **Conclusion**

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nabil H. Syed whose telephone number is 571-270-3028. The examiner can normally be reached on M-F 7:30-5:00 alt Friday off.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffery A. Hofsass can be reached on (571) 272-2981. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Art Unit 2612

N.S



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